



CALIFORNIA SAFFLOWER GROWERS ASSOCIATION  
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March 24, 2017

Anne Littlejohn  
Senior Environmental Scientist  
California Regional Water Quality Control Board Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

RE: Amendments To the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin To Establish a Region-wide Municipal and Domestic Supply (MUN) Beneficial Use Evaluation Process in Agriculturally Dominated Surface Water Bodies and Remove the MUN Beneficial Use from 231 Constructed or Modified Ag Drains in the San Luis Canal Company District

Dear Ms. Littlejohn:

On behalf of the California Safflower Growers Association, we appreciate the opportunity to submit these comments regarding Agricultural Dominated Water Bodies issue, thank you. Our representative has been active as a stakeholder in this process for the past five years and has an appreciation for the analysis, studies, and environmental and regulatory reviews undertaken to arrive at the proposal presented here today. We support the adoption of these amendments to the Basin Plan(s).

Quoting liberally from the draft report, "during permit adoptions for the National Pollutant Discharge Elimination System (NPDES) program, there have been challenges to protecting the MUN beneficial use designation in agricultural drains due to the stated exception in 88-63. The cost for POTWs to comply with protecting the MUN beneficial use has been estimated at \$3 - \$7 million (City of Willows, case example). The POTWs have been provided the option of pursuing a basin plan amendment as part of their permit compliance." .... "Concurrently, the CV-SALTS initiative has identified the need to evaluate the protection of MUN beneficial uses in agriculturally dominated water bodies. CV-SALTS identified receiving waters of four Publically Owned Treatment Works (POTWs - Cities of Willows, Colusa, Biggs and Live Oak) as potential archetypes (case studies) for evaluating appropriateness of a MUN designation. These same potential archetypes have challenged the MUN designation during NPDES permit renewals. "As presented, the proposal is a result of these issues being addressed in a straightforward and collaborative manner.

On page VI of the draft report, stated as follows "The proposed amendments would add a standardized region-wide process to the Basin Plans that will guide the Board's evaluation of appropriate MUN beneficial use designations and associated water quality objectives in Ag dominated surface water bodies, and will set implementation provisions related to this process. The preferred alternative is based on the water body categorization approach, which uses a flowchart developed with the stakeholders, to

distinguish between those water bodies that have been constructed or modified to convey Ag drainage (C1,M1), those water bodies that have been constructed or modified to convey Ag supply water (C2, M2), natural water bodies dominated by agricultural operations (B1, B2), and those water bodies encompassed in a permanent or seasonally closed controlled recirculating basin." Our involvement was based upon the region wide approach undertaken by this process. Our interest specifically included those water bodies encompassed in a permanent or seasonally closed controlled recirculating basin and the definitions developed that would be applied regionally that recognize some of the unique farming regions in the State. Staff understood those unique characteristics and in our opinion addressed them appropriately through the collaborative process and CEQA.

In addition to flow chart process identified in Figure Y, Water Body Categorization (WBC) Flowchart, the following definitions are highlighted due to the staff's understanding of the unique characteristics inherent within agricultural production operations:

- **Modified/Reconstructed Water Body** – A water body in which the hydrology has been changed through construction and/or management and/or in which the channel has been extensively realigned and reconstructed.  
Examples include any or a combination of the following:  
The natural head waters have been diverted;  
The water body contains dams, diversions or other types of hydrologic modifications that make it infeasible to restore the water body to its original condition;  
The channel has been physically altered such as deepened, straightened and/or graded;  
Portions of water body are concrete lined and/or rip-rapped;  
Portions of water body have been piped
- **On-farm/Ancillary Structures** – On-farm or ancillary structures are privately constructed water conveyances necessary to maintain agricultural operations under a single owner and/or operation. Such structures include but are not limited to on-farm irrigation systems such as furrows, beds and checks, and on-farm distribution systems (including tail-water ponds, ditches and sumps). On-farm or ancillary structures do not include facilities or improvements that may mix with natural or non-agricultural waterways (e.g. storm water drains) or are within the jurisdiction of the Federal Clean Water Act.
- **Seasonally Closed Controlled Recirculating System** – Seasonally Closed Controlled Recirculating Systems are designed to deliver irrigation water and retain seasonal agricultural return flows through recirculation in natural, modified or constructed conveyance facilities through an area under single or coordinated management control which may or may not contain multiple individual farms. Examples include tail water recovery and irrigation systems managed to maximize water use, energy savings and/or chemical management while protecting downstream beneficial uses.
- **Year-Round Closed Controlled Recirculating System** – Year-Round Closed Controlled Recirculating Systems are designed to deliver and recirculate irrigation water and agricultural return water in a system of constructed conveyance facilities under a single or coordinated management system that may or may not contain multiple individual farms that retains all waters within the management area all year long.



In "APPENDIX F—YEAR-ROUND CLOSED CONTROLLED RECIRCULATING SYSTEM APPLICATION TEMPLATE", staff has developed a framework for the application, our desire is that the timeframe for analyzing the application be held to a minimum, The closed system identified in the draft report discussion illustrates a straight forward example of a closed system that would not entail a complex review process.

In closing, we have an appreciation for the analysis, studies, and environmental and regulatory reviews undertaken to arrive at the proposal presented here today. The collaboration with stakeholders was greatly appreciated and we specifically call out your work and leadership together with that of Ms. Jeanne Chilcott and the other agency staff who assisted in this process. We also look forward and support the Board utilizing a similar approach through the Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS) stakeholder group to address other beneficial use designations that may present similar challenges within agricultural conveyances.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis Tristao", is written over a light blue vertical line.

Dennis Tristao  
Executive Director, California Safflower Growers Association